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Political.

SPEECH OF HON. HENRY CLAY.

Delivered in the United States Senate, Tuesday, February 5, 1850, on his reso-Intions for a compromise on the slavery question.

Well, sir, what does the resolution propose! The resolution neither affirms nor disaffirms the constitutionality of the exercise of the power of abolition in the District. It is silent upon the subject. It says that it is inexpedient to do it, but upon certain conditions. And what are those conditions! Why, first, that the State of Maryland shall release the United States from the obligation of that implied faith which, I contend, is connected with the act of cession by Maryland to the United States .-Well, sir, if Maryland, the only State now that ceded any portion of the territory which remains to us will consent-in othor words, if she releases Congress from the obligation growing om of the cession with regard to slavers -1 consider, sir, that that ex-roise of the power, if it were deemed

ers—Great Britain, France, nor any of the powers which have undertaken to abolish slavery in their colonies—have ever venture. That is to be a cause for assembling in conto; but they were under that obligation to which all men ought to box—that obligation to those of eternal justice, which declares that no man ought to be deprived of his properties. It is possible to contemplate a greater extent of widness and extravation of eternal justice, which declares that no man ought to be deprived of his properties. It is possible to contemplate a greater extent of widness and extravation of the object of this provision there can be no doubt. It imposes an obligation upon these as been no time in my public life. taken for the use of the public, but it would be taken in consideration of a policy and a purpose adopted by the government for the good of the public, or one which it was deemed expedient to carry into full effect. The server of the purpose of the figure of the public of the public of the public of the good of the public stance of the public, as to entitle the owners of the slaves so taken to a compensa-tion, under and by virtue of the clause it-self, to the full extent of the value of the ged by the scenes that are exhibited, by the mical to use the power, without, at the same as this? Sir, it is a concession, I repeat, have been extra-judicial. The court had time, making compensation. I put it to neither from one class of the States nor the no right to decide whether the laws of fagentlemen whether that would not be a better condition for the slaveholders of the District than to assume the rigid application of the amendment of the constitution to which I have referred? It would always be an it lessens by one the causes of irritation and it lessens by one the causes of irritation and it lessens by one the causes of irritation and it lessens by one the causes of irritation and it lessens by one the causes of irritation and it lessens by one the causes of irritation and its right to decide whether the laws of laboratories and right to decide whether the laws of laboratories and right to decide whether the laws of laboratories and right to decide whether the laws of laboratories are not unconstitutional.—

The only question before the court was upon the laws of impediment passed by the legislature of Pennsylvania. If they have

cause for exacting from Congress a full and this subject.
iust compensation for the value of the prop-

there was no one of these resolutions, ex-cept the first, which contained any conces-ought not to be abolished within the Disgether from the North to the South. Now, measures proposed in these resolutions, or abolish slavery here. I am aware that the dopt instead the better suggestions of anysouth, or a great portion of the south, have body else-adopt these or similar measures, all that the South, it appears to me, ought subject after the Missouri compromise. in reason to demand, masmuch as it requires The next resolution, sir, is as follows: such conditions as amount to an absolute 7th. Resolved, That more effectual pro security for the property in slaves within vision ought to be made by law, according to the District-such conditions as will make the requirement of the constitution, for the the existence of slavery in the District co- restitation and delivery of persons bound eval and coextensive with its existence in a- to service or labor in any State, who may my of the States out of or beyond the Dis- escape into any other State or Territory of trict. The second clause of this resolution this Union. provides that it is expedient to prohibit Well, Mr. President, upon this subject I

which is not granted, or not a necessary im- slave from labor, who takes refuge in or ewhich lies at the bottom of our own free institutions, because it is the case of a people who are that Congress has all power which is not one state, under the laws thereof, escaping any voice in the administration of affairs. Congress has a power within the District from such service or labor, but shall be derespect to the people of this District is a er which any State itself possesses within each service or labor may be due. tyrrany, an absolute government—not exertise of thor may be due."

tyrrany, an absolute government—not exertise of thormal such service of thormal between the power and right of any State in this clause in the constitution is not amongst the power and right of any State in this clause in the constitution is not amongst the power and right of any State—to for the enumerated powers granted to Congress bitrarily. But it is in, the nature of all arbitrary power; for if I were to give a definition of arbitrary authority I would see that tion of arbitrary authority, I would say it is most every slaveholding State in the Union legislate and curry it into effect—but it is that power which is exercised by an author- has exercised its power to probabit the in- one of the general powers, or one of the ity over a people who have no voice nor in- traduction of slaves as merchandise. It is general rights second by this constitution fluence in the assembly which enacts her in the constitution of my own State; and or enstrument, and it addresses risell to all laws; and that is the precise condition of after all the agitation and excitement upon who are bound by the constitution of the the people to whom I have referred.

Well, sr, that being their condition, and this question of the abolition of slavery althe same principle is incorporated in the constitution of the Unifeeting them in all the relations of life new constitution. It is in the constitution, ted States. All State officers are required which we can imagine-of property, socie- I know, of Mississippi also. That State by the constitution to take an oath to supty, comfort, peace-I think we should re-quire, as another of the conditions upon its limits as merchandise. I believe it to and are obedient to its laws, are bound to which above this power should be exercised, be in the constitution or laws of Maryland assist in the execution of these laws, wheththe consent of the people of the District of and Virginia, and in the laws of most of cr fundamental or derivative. I do not say, Columbia. And, sir, I have not stopped the slav holding States. It is true that the sir, that a private individual is obliged to This resolution requires still a third policy of the several slaveholding States make the four of his whole State, in order condition; and that is, that slavery stell has vaciliated from time to time upon this to assist the owner of a slave to recover his not be abolished within the District of Co-subject-sometimes including and some, property; but I do say, if he is present lumbia, although Maryland consents, and times excluding the trade; but there has when the owner of a slave is about to assert although the people of the District itself, never been the slightest diversity of opinion his rights and regain possession of his propwithout the third condition—that of mak-ing compensation to the owners of slaves principle that every one of them has the er officer or agent of the State 20

erty—shall be taken for public use, with at an object acceptable to both, conformable terms used in regard to faguives from erimjust compensation to the owners of such to the wishes and technique of both; and yet, in all offences and fuguives from labor are property. Well sir, I think that in a just sir, in these times of fearful and alarming precisely the same. The lugitive from just and interpretation of that clause, we excutement—in these times when every right like is to be delivered up, and removed to and interpretation of that clause, we are restrained from taking the property of the people of the District of Columbia in slaves, in consideration of any public policy, without full and complete compensation. But if there he no constitutional restriction is supported by the property of the District of Columbia in slaves, in consideration of any public policy, without full and complete compensation. But if there he no constitutional restriction is supported by the property to whom such service is due.—

Well, sir, has it ever been contended by any State that he is not bound to surrender a function for the property of the property such as is contained in the amendment I contingencies which are enumerated, upon a fugitive from justice upon the demand of have referred to, upon principles of eternal the happening of any one of which dele- the State from which be has fled! I think have referred to, opon principles of eleman passive in its aspecting of any one of which disconvention that property in slaves in this District of that property without compensation.

Why, sir, no one of the European powed to do it without making compen-ation to vention - in other words, cause for consideral right to have the fugitive surrendered on the owners. They were under no such ering whether this Union ought to be dis- the application to deliver him up, as enjoinconstitutional obligation as I have referred silved or not. Is it possible to contemplate ed by the constitution. ty without full and just compensation for in which statement I concur with what was ses an obligation upon the officers of govits value. Whether under the constitution | said the other day by the honorable senator ernment, State or federal-and I add upon al provision or not, the case is the same. I from Alabama, (Mr. King)—there has been the people of the United States, under parknow, sir, that it has been argued that this no time of my public life that I was not ticular circumstances—to assist in the reclause of the constitution which requires compensation to be made for property, when for the abolition of the slave trade in the taken by the government for the public use, would not apply to the case of the abolition so while the other portion of the District this subject, in consequence of a recent deof slavery, because the property is not ta- south of the Polomac remained attached; cision of the Supreme Court of the United ken by the government for the public use.
Why, sir, perhaps literally it would not be now that that larger portion of the District triely misapprehended. There is a vast difference of the public use. and operation. By a liberal interpretation tion of the territory by the act of retroces- al. I know, sir, there are some general of the clause, it seems to me, however, that sion. Why should the slave traders, who expressions in the opinion to which I have slave property would be so far regarded - buy their slaves in Maryland or Virginia, referred-the case of Maryland and Pennthat it ought to be so far regarded—as ta- come here with them, in order to transport sylvania—that would seem to import other ken for the use of the public, or at the in- them to New Orleans or other Southern wise; but I think that when you come to markets? Why not transport them in the attentively read the whole opinions pronoun slave liberated. It appears to me that this conteges which pass along our avenues of tent of the authority that they intended to is an effectual and constitutional restriction upon the power of Congress over the subbe not so, then the power is unrestricted— the neighboring States—why should the law referred, and that the general gov-I mean unrestricted by any constitutional feelings of those be outraged by such ernment had no right to impose obligations injunction or inhibition. But the restric- scenes-who are unable to contemplate upon the State officers that were not impotion imposed by the obligation of justice resuch a spectacle without horror—why should sed by the authority of their own constitu mains; and I contend that that would be sufficient to render it oppressive and tyraunical in was the continuance of a trade so exceptionable, so detestable on should have been otherwise; it would

Watchman & State Journal. equitable, and, I doubt not, a sufficient discontent which exist as connected with

trict of Columbia, reassert the doctrine of Mr. President, I said on yesterday that the resolution of 1838, that by an implied sion by either party, that did not either con-trict of Columbia, so long as it remains in tain some mutual concession by the two par- the State of Maryland-reassert the princities, or did not contain concessions alto- ple of that resolution, and adopt the other with respect to the resolution now under some other similar measures-for I am not consideration, the North has contended that attached to anything as the production of the power exists under the constitution to my own mind, and am quite willing to acontended for the opposite doctrine. Now, and I venture to predict that, instead of the what does this resolution ask ! It asks of distractions and anxieties which now pre-both parties to forbear orging their respectivall, we shall have peace and quiet for thirmons-the one to the exclusion of ty years hereafter, such as followed the disthe other. But it concedes to the South position of the same exciting and unhappy

within the District the slave trade in slaves go with him who goes furthest in the interpretation of that clause in the constitution Mr. President, if it be conceded that which relates to this subject. In my hum-Congress has the power of legislation-ex- ble opinion, sir, that is a requirement by the clusive legislation-in all cases whatsoever, constitution of the United States which is how can it be doubted that Congress has not limited in its operation to the Congress Sir, my interpretation of the constitution is of every state in the Union. And I so one moving one of them. There are two other this: that with regard to all those portions step further. It extends to every man in conditions which are inserted in this res . of jurisdiction which operate upon the the Union, and devolves upon him the oblilution: t e first is the consent of the peo- States, Congress can exercise no power gation to assist in the recovery of a fugitive plusting from a granted power. Such is copes into one of the free States. And, the rule for the action of Congress in rela- sir, I maintain all this by a fair interpretanon in violation of the great principle, non to its legislation upon the States. But tion of the constitution. The clause is as

acted upon by legislative authority, and tax- prohibited by some provision of the consti- into another, shall, in consequence of any ed by legislative authority, without having tution of the United States. In other words, law or regulation therein, be discharged The government of the United States, in equivalent to and coextensive with the pow- livered up on claim of the party to whom

mig compensation to the owners of slaves within the District. And, sir, it is immaterial to me upon what bests this obligation to compensate the slaveholders in the District, for such slaves as may be liberated outder the authority of Congress, is placed.—

There is a clause in an amendment of the constitution of the United States, which provides that no property—no private property—no private property—to be taken for public use, with at a provides that no property—no private property—to be taken for public use, with at accordable to both, confirmable that every one of them has the confirmation of the State governments, or private individual, is found to assist in the execution of the laws of their country. What is the provision? It is that such faguive "shall be delivered up on the claim this resolution, which proposes to abelish of the pursy to whom such service or thought to execution of the laws of their country. What is the provision? It is that such faguive "shall be delivered up on the claim of the pursy to whom such service or thought to execution of the laws of their country. What is the provision? It is that such faguive "shall be delivered up on the claim this resolution, which proposes to abelish the true country to probable the introduction of the pursy to whom such service or their country.

We have the country to probable the introduction of the provision? It is that such faguive "shall be delivered up on the claim of the pursy to whom such service or their country.

We have the country to probable the introduction of the provision? It is that such faguive "shall be delivered up on the claim the resolution of the pursy to whom such service or their country.

We have the country to provision? It is that such faguive "shall be delivered up on the claim the country to provision? It is that such faguive "shall be delivered up on the claim the country."

We have the country to provision? It is that such faguive "shall be delivered up on the claim the country."

There is a clause in an amendment of the

any other tribunal. I say it is utterly impossible for that court, with the case before them of the passage of a law by a State legislature, affording aid and assistance to the owner of the slave to get back his property again; it is utterly impossible that that or any other tribunal should pronounce the decision which it is except to seduce slaves from their owners, there is no instance in which it is except to seduce slaves from their owners, there is no instance in which it is excourt has not said so; and even if they had the children of the family are treated .-

-no one will contend that after the decla- tress, from whom she had been seduced. the power to prohibit what is called the of the United States, but which extends to it would be unconstitutional for them to as ny and good will prevails among the vari-slave trade within the District of Columbia? every state in the Union, and to the officers sist in the performance of a high duty, which our parts of this confederacy—I hope it will

come to consider calmly upon the nature of restoration of them to their owners,

spectable citizens having visited-not Ohio State itself adopts those doctrines. at all-but having visited Covington, on the There have been, perhaps, mutual causes opposite side of the river, a little slave of of complaint. I know-at least I have his escaped over to Cincinnati. He pursus heard-that Massachusetts, in apology for ed it, recovered it-having found it in a some of her unfriendly laws upon the sub-house where he was consected—took it out; ject of the recovery of furnive slaves urges but it was rescued by the violence and force, the treatment which a certain minister of lice of the city standing by, and either in- years ago. A most respectable, venerable,

to those acts passed for the benefit of so- mutual causes of irritation, furnis word 'sojourner.'

ing a progressive tendency to a bad neigh- ludes to. test the ground; I am not going to argue will say one word in behalf of my state. the question whether, if a man voluntarily Mr Clay. Certainly sir; certainly. carries his slave into a free State, he is or Mr. Davis. I have never heard any apolnal connexion existing between all parts of pealed because the courts, as they under-this confederacy, to execute a strict legal stood them, had pronounced them unconsti-

upon a case not before them, the decision is abode—of settling finally and conclusively what lawyers call "obiter dictum," and is —of planting his slaves in the Commonnot binding upon that court itself, or upon wealth—it is but the right of good neighborhood, and kind and friendly feeling, to olina. If I call the facts to my recollection back—and I am sure the honorable senator from Missouri, more correctly than anybody else—must bring to olina. If I call the facts to my recollection back—and I am sure the honorable senator from Missouri, more correctly than anybody else—must bring to olina. If I call the facts to my recollection back—and I am sure the honorable senator from Missouri, more correctly than anybody else—must bring to olina.

cision that such aid and assistance rendered ercised so unjustly as in the case of the seby the authorities of the State under this duction of family servants from the service provision of the constitution of the United of their owners. Servants in the families States was unconstitutional and void. The are treated with all the kindness with which said so, they would have transcended their Everything they want for their comfort is authority, add gone beyond the case which given to them with the most liberal indul-

gence. I have known more instances than The laws passed by States in order to as- one, where, by this practice of seduction of sist the general government, so far from family servants from their owners into free being laws repugnant to the constitution, States, they have been rendered wretched are rather to be regarded as laws carrying and unhappy. In an instance in my own out, enforcing, and fulfilling the constitu- family, the seduced slave addressed her mistional duties which are created by that in- tress, begging and imploring her to farnish strument. Why ser, as well might it be her the means of geiting back from the contended that if Congress were to declare state of freedom into which she had been war - and no one will doubt that the power seduced, into the state of slavery into which to declare war is vested exclusively in Con- she was much more happy. She returned gress, and that no State has a right to do it to the State of Kentucky and to her mis-

ration of war, it would be unconstitutional Now, Mr. President, I think that the exon the part of any State to lend its aid and isting laws for the recovery of fugitive assistance for the vigorous and continual daves, and the restoration and delivering of prosecution of that war. And yet it would them to their owners, being often inadebe just as unconstitutional to lend their aid quate and ineffective, it is incumbent upon to a successful and glorious termination of Congress-(and I hope that hereafter, when that war in which we might be engaged, as a better state of feeling, when more harmosist in the performance of a high duty, which our parts of this confederacy-I hope it will presents itself to all the States, and to all be regarded by the free states themselves the people in all the States. Then, Mr. as a part of their duty)-to assist in allay-President, I think that the whole class of ing this subject, so irritating and disturbing legislation, beginning in the Northern States to the peace of this Union. At all events, and extending to some of the Western whether they do it or not, it is our duty to States, by which obstructions and impedi- do it. It is our duty to make the laws more ments have been thrown in the way of re- effective; and I will go with the furthest covery of fugitive slaves, are unconstitution-senator from the South in this body to make al, and have originated in a spirit which I penul laws, to impose the heaviest sanctions trust will correct itself when these States upon the recovery of fugitive slaves and the

their duty. Of all the States in this Union, unless it be the State of Virginia, the State ever, allow me to make one observation or of which I am a citizen suffers most by the two. I do not think that States, as States, escape of slaves to adjoining States. I are to be held responsible for all the mashave but little doubt that the loss of Ken- conduct of particular individuals within tucky, in consequence of the escape of her those States. I think States are to be held slaves, is greater, in proportion to the total responsible only when they act in their sovnumber of slaves which are held in that creign capacity. If ther are a few persons Commonwealth, than it is in the State of indiscreet-mad, if you choose-fanatics, Virginia; and I know too well, and so do if you choose to call them so-who are for the honorable senators from Ono know, that dissolving this Union—(and we know there it is at the utmost hazard and insecurity of are some at the North who are for dissolving that a Kentuckian can cross the ingit, in consequence of the comexion of the other House, at the head of whom was river and go into the interior and take back which exists between the free and slaveholdthe fugitive slave to the State from which he ing States)-I do not think that any State has fled. A recent example occurred in the bught to be held responsible for the doccity of Cincinnati. One of our most re- trines which they propagate, unless the

of a negro mob from his possession-the po- hers received in Charleston, S. C. some which, in its nature, is most irritating and have created. I think she might as well inflammatory to those who here in slave States. Why, sir, I think it is a mark of no good brothermood, of no kindness, of no right, however, and sent him upon that missing of the supreme court has been founded upon the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union, in consequence of her interaction of the admission of the different states.

If think it is a mark of no such mission as that. She thought it her good brothermood, of no kindness, of no right, however, and sent him upon that misson as that sent him upon that misson is not the question where the supreme court has been founded upon to the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union, in consequence of her interaction of the admission of the supreme court has been founded upon to the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union. It is not the whole the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union. It is not the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union. It is not the supreme court has been founded upon to the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union. It is not the supreme court has been founded upon to the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union. It is not the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union. It is not the whole Union. Legislative bodies all got in motion to keep out Missouri from the Union. It is not the whole Union. It is not the supreme court has been founded upon to t courtesy, that a man from a slave State can- sion. He went for the purpose merely, as not now in any degree of safety travel in a was said, to ascertain the rights of the free free State with his servant, although he has people of color before the courts of justice no purpose of stopping there any longer —to test the validity of certain laws of S. than a short time. Upon this subject the Carolina in regard to the prohibition of free legislatures of the free States have altered negroes coming into her ports. I believe for the worse in the course of the last twen-that was the object—that was the purpose of ty or thirty years. Must of those States, his mission. He went there and created no until during the period of the last twenty disturbance, as I understand, except so far or thirty years, had laws for the benefit of as asserting these rights and privileges in 'sojourners," as they were called, passing the sense that Massachusetts had understood through, or abiding for a time in, the free States with their servants. I recollect, sir, a case, that occurred during the war, of my out of Charleston, as I believe some other friend, Mr. Jervis, from South Carolina .- emisary of the same character was driven Instead of going home during the vacation, out of New Orleans. I do not mean to say he went to Pinladelphia, taking his family whether it was right or wrong to expel him and his family servant with lam. Some of from that city; but I do mean to say that the abolitionists of that day sued out a writ Massachusetts, for the treatment towards of habeas corpus far the slave; and the those whom she chose to consider as entiquestion was brought before the Supreme zens of the State of Massachusetts, on the Court of the State of Pennsylvania. It was part of South Carolina, determined upon argued for days; and it was necessary, dur- that course of legislation by which she has ing the progress of the argament, to refer withdrawn all aid and assistance, and interto a great variety of statutes passed from posed obstacles to the recovery of fugitive time to time by the State of Pennsylvania slaves. She gives this as her apology; but in behalf of sojourners, guarantying and I think it furnished her with no sufficient securing to them the possession of their apology. If South Carolina treated her ill, property during their temperary passage or it was no reason why she in turn should abode in the Commonwealth. Finally, the treat Virginia, Kentucky and other States Court gave their opinion seriatim, each ill. But she thought so, I mention the judge delivering his separate opinion, until case of the expulsion from Charleston, and it came to Judge Breckenridge, who was the passage of the laws by Massachusettsthe youngest judge upon the bench, to de- or rather the spirit in which they were pass-During the delivery of their ed-not by way of reproach, but to show opinions they had frequent occasion to refer senators that there have been, unhappily, journers, and each of the judges who pre- haps, by one class of the States as well as ceded Judge Breckenridge always pronoun-ced the word "sudjourner." When it degree by slave States as by free States. came to Judge Breckenridge to deliver his I admit also, that the free states have much opinion, he said: "I agree in all my learn- less cause for any solicitude and inquietude ed brethren have pronounced upon this oc- upon this whole subject of slavery than the casion, except their pronunciation of the slave states have, and that far more exten-They pronounced it sive excuses, if not justification, ought to sudjourner;' and I think it should be pro- be extended to the slave states than to the

nounced 'sojourner.'" [Laughter.] Now, sir, all these laws in behalf of sojourners in the free States are swept away, I believe, in all the States except Rhode Island.

Mr. Dayton. And in New Jersey.

Mr. Clark And in New Jersey. Mr. Clay. And in New Jersey, I am and willingly for the most stringent meashappy to hear. But in most of the free strates these laws have been abolished, show-cution of the constitutional provision it al-

borhood, and unkind action upon the part of the free States towards the slaveholding sing.) I am unwilling to interrupt the hon-States. Well, sir, I do not mean to conorable senator; but if he will permit me, I

is not entitled to his freedom. I am not ogy which was offered by Massachusetts for going to argue that question. I know what passing the laws to which reference has been its decision has been in the North. What made. On the contrary, I have always unmean to say is, that it is unkind, unneigh- derstood that the laws Massachusetts had borly; it is not in the spirit of that frater- passed for restoring fugitive slaves were reprinciple in the way suggested. Even sup-posing the right is there, it is but proper, when there is no purpose of a permanent which they adopted, I will not undertake to

olina. If I call the facts to my recollection aright, they are these: We are the owners of much shipping; we employ many sailors; among them we employ free people of color, who are acknowledged in Massachusetts to be citizens of the United States citizens of the Commonwealth are discovered in the discovered to the commonwealth are discovered to the dis States, citizens of the Commonwealth, entitled to the rights of citizens. These citizens were taken from our vessels when they arrived in South Carolina, and held in cus- the provision containing the ordina tody until the vessels sailed again. This 87; the House insisting upon the interdic-our citizens complained of, whether justly tion of slavery, and the Senate rejecting the or unjustly; they felt that it was an infringe-ment, in the first place, of the rights of the The bill failed. It did not pass at that see

—that the mouve of repeal of those laws of Illinois, in the Senate, restricting the admission restoration, or the passage of those laws of of slavery north of 36 deg. 30 min., and leaving obstruction—that one of the metives was, the question open south of 36 deg. 30 min, and leaving the question open south o another cause—from what I conceive to be a misconceptron of the decision of the supreme court of the United States. When the true exposition of the opinion comes to be known in Massachusetts, I trust that she will restore all those laws for the recovery of will find, sir, if you will take the trouble to look will find, sir, if you will take the trouble to look

with the observation that I partly made be-fore, that the most stringent provisions upon members. My friend from Alabama, in the Senthis subject that can be devised will meet ate. (Mr. King) Mr. Pinckney, from Maryland

The last resolution declares-

which way the Speaker votes, except in the casadmission or exclusion of slaves brought
from one into another of them depends exclusively upon their own particular laws."

This is a concession—not, I admit, of any
real constitutional provision, but a concession of what is understood, I believe, by a
great number at the North to be a constitutional provision—from the North to the
south, if the resolutions be adopted. Take
admission of exclusion which way the Speaker votes, except in the casease of a tie, I am unable to tell, with certainty,
but actually did vote; but I have no earthy
doubt that I voted, in common with my other
southern friends, for the adoption of the line of
36 deg. 30 min.

So the matter ended in 1820. During that
year Missouri hald a convention, adopted a constitution, sent her constitution by her members
to Congress, to be admitted into the Union; but
she had inadventently inserted into that constiwithing or unable to afford assistance to him.

Upon this subject, I do think we have Massachusetts to South Carolina to take just and serious cause of complaint against that might pass to Charleston in any of the field States on that subject, and the finite vessels of Massachusetts. I think it was a field from the finite vessels of Massachusetts. I think it was a field from the finite resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that that resolutions be adopted. Take and many feeling has treaty meeter that the same many feeling has treaty meeter that the same has treaty meeter that the the free States. I think that they tall in that might pass to Charleston in any that they tall in that might pass to Charleston in any that they tall in that might pass to Charleston in any that they tall in that might pass to Charleston in any that they tall in that might pass to Charleston in any that they tall in the trade between been repressed at the previous session that they tall in the trade between been repressed at the previous session to the they tall they tall

the slave trade between the different states.

Such, Mr. President, is the series of resolutions which, with an earnest and auxious desire to present the olivebranch to both to admit or to exclude Missouri from the Union, with an earnest and auxious desire to present the olivebranch to both to admit or to exclude Missouri from the Union, with an earnest and auxious desire to present the olivebranch to both datten, and harmony, is not right, present toe, and they defeated it. us your plan. Let us see a contra project. Let us see how all the questions that have arisen out of this unhappy subject of slavery can be better settled, more farly and justify settled, to all quarters of the Union, than is proposed in the resolutions which I have offered. Present me such a scheme, and I had it with pleasure, and will accept it with except that when it came to the vote, by ages and most, mitortunately—more unfortunately—more unfortunately.

thing has excited more surprise in my mind and members cause to me from all quarters as to the rapidity with which important his- the House asking -who, Mr. Clay, do

ment, in the first place, of the rights of the citizens, and, in the next place, it was a great inconvenience to men engaged in this trade. If I remember correctly, and I think I do, the people of Massachusetts authorized their government to propose, at the expense of the State, to some proper person, a citizen of the State of South Carolina, to contest the right of that State to hold these citizens in custody in this way, in the courts in the State or the United States. If I remember, that was declined by one or more citizens of South Carolina; and the mission to which the honorable senator referred was then instituted, and the termination of it I believe he has correctly stated And I wish it to be understood that Massahad no aggressive purpose whatever, but simply desired the judicial tribunals to settle the question. They wanted nothing more—they asked nothing more.

Mr. Clay. I hear with great pleasure, Mr. President, this explanation; but I have been informed by an eminent citizen of Massachusetts, whose name it is not necessary to mention—not a member of those laws of restoration, or the passage of those laws of restoration or the passage of the services. At the mext ession of Congress.

At the next session it was renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was knocking at the time of its renewal, Maine was kno mose figures staves that she repealed from misconception of that decision.

Mr. Paesident, I have a great deal more of say, but I shall pass from that resolution of say, but I shall pass from that resolution of say, but I shall pass from that resolution. to say; but I shall pass from that resolution I take the occasion to say, that among those who min; and a majority of the southern members of the other House, at the head of whom was The last resolution declares—

"That Congress has no power to prohibit or obstruct the trade in slaves between the slaveholding states; but that the

Mr. Lowndes himselt, voted also for that line 1
have no doubt I did also: but, as I was Speaker
of the House, and as the journal does not show
which way the Speaker votes, except in the cas-

parts of this distracted and, at this moment, unhappy country, I thought it my duty to oller. Of all men upon earth, sir, am 1 the least attached to any production of my own mind. No man upon earth is more own mind. No man upon earth is more presented to that committee a resolution, which ready than I am to surrender anything which was adopted by it and reported to the House, not I have proposed, and to accept, in hea of it, anything which is better. But I put it to the candor of honorable senators on the other side, and upon all sides of the chamber, whether their duty will be performed by simply illustray themselves to any one or two. I think, of the three up longer living. simply limiting themselves to any one or two. These three southern votes were all cast against of the series of resolutions which I have of-fered. If my plan of peace, and accommo-threen by myself, as chairman of that commit-

out the slightest feeling of regret that my own is abandoned.

Sir, while I was engaged in anxious consideration upon this subject, the idea of the Missouri compromise, as it has been termed, came under my review was been termed, came under my review was been termed, came under my review was been termed. been termed, came under my review, was considered by me, and finally rejected, as in my judgment less worthy of the common acceptance of both parties of this Umon, than the project which I offer to your consider-Mr. President, before I enter into a particular examination, however of that Missouri compromise, I beg to be allowed to correct a greaterror, not merely in the Senate, but throughout the country, in respect to my agency in regard to the Missouri compromise, or rather the line of 36 deg. 30 min., estab ished by the agency of Congress. I do not know, Mr. President, whether anything has excited more surprise in my mind. and members cause to me from all quarters of the House asking—who. Mr. Clay, do you want to serve with you upon that committee? I made out my list of twenty three members, and I venture to say that there happened upon that occasion of the author of the line of 36 deg. 30 mm., which was established upon the occasion of the admission of Missouri into the Union.

Mr. President, it would take up too much time to go over the whole of that important era in the public affairs of this country. I shall not attempt it; although I have ample materials before me, derived from a careful and particular examination of the journals of both Houses. I will not occupy your time by going into any detailed account of the whole transaction; but I will content myself with stating that, so far from my having presented as a proposition the line of 36 deg. 30 min., upon the occasion of considering whether Missouri ought to be admitted into the Union or not, it did not originate in the House of which I was a member. It originated in this body. Those who will